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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 96-006

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

a. In the first line of s. Ind 80.62, “(title)” should be deleted and “80.62” should be deleted preceding “(1).”

b. In s. Ind 80.62 (1), the reference to the statute is not in proper format. The reference to the statute should be shown as “s. 102.81 (1), Stats.” [See s. 1.07 (2), Manual.] This problem with statutory references occurs throughout the rule. Although “s.” is used in many instances, “Stats.” is not.

c. In s. Ind 80.62 (3) (a), “in” in the first line should be replaced by “required under” or “required by.” Also, the last sentence of that provision should be made into a note. [See s. 1.09 (2), Manual.]

d. In s. Ind 80.62 (3) (b), can “attempt to” be deleted? The phrase “of the notice” should be inserted following “copy” in the third sentence.

e. In s. Ind 80.62 (5) (c), “directed under” should be replaced by “required by.”

f. In s. Ind 80.62 (7) (a) (intro.), “for any of the following” should be inserted before the colon. All of the subsequent subsections should end with a period. In sub. (8) (intro.), “all of the following” should be inserted before the colon and the subsequent paragraphs should end with a period. [See s. 1.03 (intro.), Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

Section Ind 80.62 (5) (b) states that the department or its agent may share information related to a claim with other governmental agencies including those responsible for tax collection, unemployment insurance, medical assistance, vocational rehabilitation, family support or general relief. However, it should be noted that ss. 146.81 to 146.84, Stats., regulate health care records and confidentiality of those records. A cross-reference should be included to ensure that any information that may be obtained from a patient health care record or that may constitute a patient health care record would be shared with other entities only in compliance with those statutory provisions.